

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-4, 7 and 9-19 are now present in the application. Claims 1, 7, 16 and 17 have been amended. Claims 5, 6 and 8 have been cancelled. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

### **Reasons For Entry Of Amendments**

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. §§ 112, 102(b) and 103(a) are improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action should be withdrawn.

If the Examiner persists in maintaining his rejections, Applicants submit that this Amendment was not presented at an earlier date in view of the fact that Applicants are responding to a new ground of rejection set forth in the Final Office Action. In accordance with the requirements of 37 C.F.R. §1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal.

### **Allowable Subject Matter**

The Examiner has indicated that dependent claims 5-9, 11 and 12 would be allowable if rewritten to include all of the limitations of the base

claim and any intervening claims. The Examiner has also indicated that dependent claim 7 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicants greatly appreciate the indication of allowable subject matter by the Examiner.

By the present amendment, independent claim 1 has been amended to include the allowable subject matter of dependent claim 5, as described hereinbelow.

### **Claim Objections**

Claims 5-8 have been objected to due to the presence of minor informalities. In view of the foregoing amendments, in which the Examiner's helpful suggestions have been followed, it is respectfully submitted that these objections have been addressed. Accordingly, this objection has been obviated and/or rendered moot. Reconsideration and withdrawal of these objections are respectfully requested.

### **Claim Rejections Under 35 U.S.C. §112**

Claims 7, 16 and 17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. These rejections are respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that these rejections have been addressed. Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejections under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

**Claim Rejections Under 35 U.S.C. §§ 102 & 103**

Claims 1-3, 10, 13-15, 18 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takeda, U.S. Patent No. 6,030,295. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda in view of Official Notice. Claims 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda in view of Kosmatka, U.S. Patent No. 6,364,789. These rejections are respectfully traversed.

As mentioned, independent claim 1 has been amended to include the subject matter of dependent claim 5, which was indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that independent claim 1 and its dependent claims are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

### CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

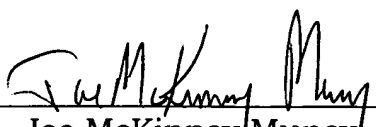
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy  
Reg. No. 32,334

KM/GH/mmi  
3624-0156P

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000